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## 1. INTRODUCTION

The Appleby Global Services Group (**AGS**) is committed to being a responsible custodian of the information you provide to it and the information it collects in the course of operating its business.

This Privacy Policy describes how AGS may collect, use, and share information, particularly in association with the operation of its main website ([www.applebyglobalservices.com](http://www.applebyglobalservices.com)) and all of its websites, mobile applications, and HTML-formatted emails that link to this Privacy Policy (collectively, **Online Services**).

This Privacy Policy sets out how AGS may collect, use and share information and describes:

- The types of information, including personal information, AGS may collect;
- How we may use and share the information AGS collect;
- The measures AGS has in place to protect and safely store the information collected;
- Legal grounds for using personal information;
- Your choices and rights in respect of the information AGS holds;
- Retention of the information AGS collects;
- How to contact AGS in relation to this Policy;
- Complaints; and
- Changes to this Privacy Policy

## 2. THE TYPES OF INFORMATION, INCLUDING PERSONAL INFORMATION, AGS MAY COLLECT

AGS collects your personal information when you provide it. "Personal information" is any information that can be used to identify you or that AGS can link to you as an individual. AGS may automatically collect certain information when you use, access, or interact with AGS Online Services. AGS may also collect information from other sources, such as social media platforms that may share information about how you interact with the AGS social media content.

## 3. INFORMATION YOU PROVIDE TO US VOLUNTARILY

Generally, you can use our Online Services without providing any personal information.

AGS collects information that you voluntarily provide, including when you communicate with AGS via email or other channels; when you sign up for or request that AGS sends you e-alerts, or other legal or marketing materials; when you submit an application for an employment position with AGS; when you sign up for an event; and when you respond to communications or requests for information from AGS. The information you provide may include your name, contact information, title, and information about the organisation with which you are affiliated. Some of the AGS Online Services may require that you enter a password or other information in order to access certain features, and AGS collects such credentials when you enter them for the sole purpose of authenticating you with the service. Credentials are stored in encrypted form.

## 4. INFORMATION AGS MAY COLLECT AUTOMATICALLY THROUGH COOKIES AND SIMILAR TECHNOLOGIES

AGS uses browser cookies and similar technologies (collectively, **Cookies**) to collect and store certain information when you use, access, or interact with the AGS Online Services. AGS may, for example, collect information about the type of device you use to access the Online Services, the operating system and version, your IP address, your general geographic location as indicated by your IP address, your browser type, the content you view and features you access on the Online Services, the web pages you view immediately before and after you access the Online Services, whether and how you interact with content

available on the Online Services, and the search terms you enter on the Online Services. For information about how we use Cookies and the choices you may have, please see the AGS policy on Cookies at [www.applebyglobalservices.com](http://www.applebyglobalservices.com)

Please note that AGS does not currently respond to web browser “do not track” signals or other mechanisms that may allow you to opt out of the collection of information across networks of websites and online services as there is no standard for how online services should respond to such signals. As standards develop, AGS may develop policies for responding to do-not-track signals that will be described in this Privacy Policy.

## **5. INFORMATION AGS MAY COLLECT FROM THIRD PARTY SOURCES**

AGS may receive information about you from other sources, including third parties and publically available information that help AGS to update, expand, and analyse its records; identify new customers or prevent or detect fraud. AGS may also receive information about you from social media platforms, including but not limited to, when you interact with AGS on those platforms or access AGS social media content. Please note that the information AGS may receive from those third party sites is governed by the privacy settings, policies, and/or procedures of the applicable platform, and you are strongly encouraged to review them before submitting any information to them.

## **6. PRECISE LOCATION INFORMATION**

When you access the Online Services via a mobile device, AGS may collect precise location information if you permit the Online Services to access such information. AGS use this information to provide you with content based on your location.

## **7. HOW AGS USE THE INFORMATION IT MAY COLLECT**

The information collected may be used in the following ways:

- To respond to your enquiries
- To provide you with the services that you request
- To operate and improve Online Services
- To send you e-alerts and other legal updates, marketing communications and other information or materials that may be of interest to you or which you have expressed an interest in receiving
- To maintain AGS’s list of contacts
- To understand how people use AGS Online Services, including by generating and analysing statistics
- For AGS business purposes, including improving the provision of fiduciary services, data analysis; submitting invoices; detecting, preventing, and responding to actual or potential fraud, illegal activities, or intellectual property infringement
- To assess the effectiveness of AGS events, promotional campaigns and publications
- To evaluate, recruit, and hire personnel
- As AGS believes reasonably necessary or appropriate to: comply with its legal obligations; respond to legal process or requests for information issued by government authorities or other third parties; or
- protect your, AGS’s, or others’ rights

## **8. HOW AGS MAY SHARE THE INFORMATION IT COLLECTS**

AGS is a global provider of fiduciary services. The AGS offices and business entities share information with each other for business purposes such as billing, internal administration and audit, promoting our events and services, and providing you or your organisation with services. AGS does not sell, rent, or otherwise

share any information with unaffiliated entities except as expressly described in this Privacy Policy or with your prior permission. AGS may share anonymised information that does not reasonably identify you or your organisation only as permitted by applicable law.

AGS may also share information collected with:

- Employees of AGS; but their use shall be limited to the performance of their duties and in line with the reason for processing. AGS's employees are required to keep that information confidential and are not permitted to use it for any purposes other than to provide fiduciary services, to deal with requests which are submitted to it or for the purposes of facilitating the use of that information in accordance with this Privacy Policy.
- Third-party service providers engaged by AGS to perform services on its behalf, such as web-hosting companies, information technology providers, analytics providers, marketing and communications services and event hosting services.
- Law enforcement, courts or tribunals, other government authorities, or third parties (within or outside the jurisdiction in which you reside) as may be permitted or required by the laws of any jurisdiction that may apply to AGS; as provided for under contract; or as AGS deems reasonably necessary to provide our services. In these circumstances, AGS takes reasonable efforts to notify you before it discloses information that may reasonably identify you or your organisation, unless giving prior notice is prohibited by applicable law or is not possible or reasonable in the circumstances.
- Service providers, advisors, potential transactional partners, or other third parties in connection with the consideration, negotiation, or completion of a transaction in which AGS are acquired by or merged or amalgamated with another company or we sell, liquidate, or transfer all or a portion of our assets.

## 9. LEGAL GROUNDS FOR USING PERSONAL INFORMATION

AGS relies on the following legal grounds to process personal information, namely:

- Consent – AGS may use personal information as described in this Privacy Policy subject to your consent. To withdraw your consent to such use, you can contact us via [GDPR@global-ags.com](mailto:GDPR@global-ags.com). Where required by applicable laws, AGS will rely on your consent for direct marketing and to collect information from your device or computer.
- Performance of a contract – AGS may need to collect and use personal information to enter into a contract with you or to perform a contract that you have entered into with AGS. For example, when you engage AGS to provide fiduciary services your personal information will be used in order to provide you with such services.
- Legal obligation – AGS may need to collect and use personal information to comply with legal obligations to which AGS is subject. This includes undertaking client due diligence and background checks (known as "KYC" or "know your client" checks) as well as all other anti-money laundering or other legal obligations.
- Legitimate interests – AGS may use your personal information for our legitimate interests to provide and improve services. Consistent with AGS's legitimate interests and any choices that AGS offers

or consents that may be required under applicable laws, AGS may use personal information for marketing purposes and other technical information as described in this Privacy Policy.

#### **10. THIRD-PARTY SERVICES AND CONTENT**

AGS Online Services may include integrated content or links to content provided by third parties (such as video materials). This Privacy Policy does not address the privacy, security, or other practices of the third parties that provide such content.

AGS engages third parties that support the operation of its Online Services, such as analytics providers. These third parties may use technologies to track your online activities over time and across different websites and online platforms. Please see our policy on Cookies for more information.

#### **11. MEASURES AGS TAKES TO PROTECT AND SAFELY STORE THE INFORMATION COLLECTED**

AGS's Online Services are processed by Appleby Global Group LLC. AGS may store or process the information collected in the jurisdictions in which it operates or in other jurisdictions where AGS or its service providers have facilities, including but not limited to; Bermuda, Cayman Islands, Hong Kong, Jersey, Mauritius and Seychelles.

There is an adequacy decision by the European Commission ("EC") in respect of Jersey so this jurisdiction is considered to provide an adequate level of protection for your personal information in accordance with European Union standards. This means that the countries to which AGS transfers your data are not deemed to provide an adequate level of protection for your personal information, or have not yet been assessed for such purposes by the EC.

However, to ensure that your personal information does receive an adequate level of protection AGS has put in place standard data protection clauses with all members of the AGS Group or service providers who AGS may share information with to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the laws on data protection within Jersey. If you require further information about this protective measure, please contact us via [GDPR@global-ags.com](mailto:GDPR@global-ags.com).

In addition AGS deploys administrative, technical, and physical safeguards designed to comply with applicable legal requirements and safeguard the information collected. This includes, when required or appropriate and feasible, obtaining written assurances from third parties that may access your data that they will protect the data with safeguards designed to provide a level of protection equivalent to that adopted by AGS.

However, no information system can be 100% secure. So, AGS cannot guarantee the absolute security of your information. Moreover, AGS are not responsible for the security of information you transmit to us over networks that it does not control, including the Internet and wireless networks.

#### **12. RETENTION OF THE INFORMATION COLLECTED**

AGS retains the information collected for no longer than is reasonably necessary to fulfil the purposes for which the information is collected and to comply with legal obligations.

#### **13. YOUR CHOICES AND RIGHTS**

To withdraw your consent to the use of your information as described in this Privacy Policy you can contact AGS via [GDPR@global-ags.com](mailto:GDPR@global-ags.com). Please note that in some circumstances this may mean that AGS can no

longer provide services to you. Please also contact us if you no longer wish to receive marketing communications from AGS. The electronic marketing communications AGS sends you also contain opt-out mechanisms that allow you to opt-out from receiving those communications, to update your contact information or to change your preferences at any time. AGS will honour your choice and refrain from sending you such announcements. You may also opt back in to receive those communications at any time.

You have a number of rights in relation to the information that AGS holds about you. These rights include:

- The right to access information AGS holds about you and to obtain information about how AGS process it
- The right to withdraw your consent to AGS processing your information, which you can do at any time. AGS may continue to process your information if there is another legitimate reason or legal obligation for doing so
- In some circumstances, the right to receive certain information you have provided in an electronic format and/or request that AGS transmit it to a third party
- The right to request that AGS rectifies your information if it is inaccurate or incomplete
- In some circumstances, the right to request that AGS erases your information. AGS may continue to retain your information if entitled or required to retain it
- The right to request that AGS restricts processing of your information in some circumstances. There may be situations where you object to, or ask AGS to restrict processing of your information but AGS are entitled to continue processing your information and/or to refuse that request
- You can exercise your rights by contacting AGS using the details set out below. As an individual you also have a right to complain to the data protection regulator in the country where you live or work

If you would like to discuss or exercise the rights you may have, you can contact AGS via the [GDPR@global-ags.com](mailto:GDPR@global-ags.com) address.

#### **14. HOW TO CONTACT US**

Enquiries and comments are welcome, but please note that if you are not a client, AGS may not be able to treat the information you send as confidential or privileged. If you wish to contact AGS regarding fiduciary services, please contact one of the AGS offices which are listed on our main website at [www.applebyglobalservices.com](http://www.applebyglobalservices.com)

If you would like to contact AGS with questions about privacy or data protection practices, please do so by writing to: Mr Gareth Russell, Privacy Officer at [GDPR@global-ags.com](mailto:GDPR@global-ags.com)

#### **15. COMPLAINTS**

AGS is committed to working with you to obtain a fair resolution of any complaint or concern about your privacy. If, however, you believe that AGS has not been able to assist with your complaint or concern, you may have the right to complain to the data protection authority/regulator, as applicable, in your jurisdiction. Set out below are the contact details for the relevant authority/regulator in each AGS jurisdiction:

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Bermuda	Bermuda Privacy Commissioner Maxwell Roberts Building, 4 <sup>th</sup> Floor 1 Church Street
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	<p>Hamilton HM11, Bermuda          Telephone: +1 441 543 7748          Email: <a href="mailto:privcom@privacy.bm">privcom@privacy.bm</a></p>
Cayman Islands	<p>Ombudsman of the Cayman Islands          PO Box 1375          Grand Cayman, KY1-1108          Cayman Islands          Telephone: +1 345 946 6283          Email: <a href="mailto:info@ombudsman.ky">info@ombudsman.ky</a></p>
Hong Kong	<p>Privacy Commissioner for Personal Data          Room 1303, 13/F, Sunlight Tower          248 Queen’s Road East          Wanchai, Hong Kong          Telephone: +852 2827 2827          Email: <a href="mailto:enquiry@pcpd.org.hk">enquiry@pcpd.org.hk</a></p>
Jersey	<p>The Office of the Information Commissioner          2<sup>nd</sup> Floor, 5 Castle Street          St Helier          Jersey JE2 3BT          Telephone: +44 (0)1534 716530          Email: <a href="mailto:enquiries@jerseyoic.org">enquiries@jerseyoic.org</a></p>
Mauritius	<p>Data Protection Office          5<sup>th</sup> Floor, SICOM Tower          Wall Street, Ebène Cyber City          Ebène, Republic of Mauritius          Telephone: +230 460 0251          Email: <a href="mailto:dpo@govmu.org">dpo@govmu.org</a></p>
Seychelles	<p>Department of information Communications Technology          PO Box 737          3<sup>rd</sup> Floor, Caravel House          Manglier Street          Victoria          Seychelles          Telephone: +248 4 28 66 09          Email: <a href="mailto:psoffice@ict.gov.sc">psoffice@ict.gov.sc</a></p>

**16. CHANGES TO THIS PRIVACY POLICY**

AGS may update this Privacy Policy from time to time and you are encouraged to periodically review this page. If AGS makes any material changes in the way it collects, uses, and/or shares the personal information that you have provided, you will be notified by posting notice of the changes in a clear and conspicuous manner on the AGS website at: [www.applebyglobalservices.com](http://www.applebyglobalservices.com).

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<b>Version</b>	<b>Date</b>	<b>Description of change</b>	<b>Reviewer</b>
1.0	13 July 2020	Release version	GRAF
2.0	16 Dec 2020	Updated to remove IOM	GR

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